

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY [initials] D.C.
05 AUG 24 PM 3: 30

)
THE CLARK CONSTRUCTION GROUP, INC.)
Plaintiff,)
v.)
EAGLE AMALGAMATED SERVICE, INC.;)
CAPITOL INDEMNITY CORPORATION;)
INVESTORS INSURANCE COMPANY OF)
AMERICA; FIRST SPECIALTY INSURANCE;)
LEXINGTON INSURANCE COMPANY; and)
RLI INSURANCE COMPANY,)
Defendants.)
)

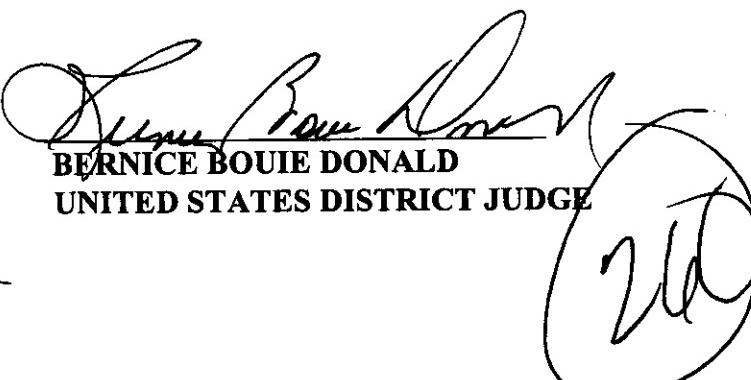
THOMAS E. COULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

No. 01-2478 DV

**ORDER DENYING AS MOOT PLAINTIFF CLARK CONSTRUCTION GROUP LLC'S
MOTION FOR LEAVE TO FILE A SUPPLEMENTAL MEMORANDUM IN OPPOSITION
TO INVESTORS' MOTION TO RECONSIDER, MODIFY, OR AMEND**

Before the court is Plaintiff Clark Construction Group, LLC's ("Plaintiff") motion for leave to file a supplemental memorandum in opposition to Defendant Investors Insurance Company of America's ("Defendant") motion to reconsider, modify, or amend. The issues raised in the motion now before the Court were made moot by this Court's August 3, 2005 Order granting Defendant's motion to reconsider. Accordingly, Plaintiff's motion is **DENIED** as moot.

IT IS SO ORDERED this 24 day of August, 2005.


BERNICE BOUIE DONALD
UNITED STATES DISTRICT JUDGE

This document entered on the docketsheet in compliance
with Rule 58 and/or 79(a) FRCP on 8/24/05



Notice of Distribution

This notice confirms a copy of the document docketed as number 260 in case 2:01-CV-02478 was distributed by fax, mail, or direct printing on August 26, 2005 to the parties listed.

Ricky E. Wilkins
LAW OFFICE OF RICKY E. WILKINS
119 S. Main St.
Ste. 700
Memphis, TN 38103

James H. Stock
WEINTRAUB STOCK & GRISHAM
1715 Aaron Brenner Dr.
Ste. 512
Memphis, TN 38120

M. Clark Spoden
FROST BROWN TODD LLC
424 Church St.
Ste. 1600
Nashville, TN 37219

Jeffrey C. Smith
Armstrong Allen, PLLC
80 Monroe Avenue
Suite 700
Memphis, TN 38103

Lucian T. Pera
ARMSTRONG ALLEN, PLLC
80 Monroe Avenue
Ste. 700
Memphis, TN 38103--246

Randall P. Mueller
CAREY OMALLEY WHITAKER & MANSON PA
712 Oregon Avenue
Tampa, FL 33606

Warren D. McWhirter
McWHIRTER WYATT & ELDER
73 Union Ave.
Memphis, TN 38103

George T. Lewis
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ
165 Madison Ave.
Ste. 2000
Memphis, TN 38103

Melissa Callahan Lesmes
THELEN REID & PRIEST LLP
701 Eight St., N.W.
Washington, DC 20001--372

Timothy R. Johnson
BASS BERRY & SIMS PLC- Memphis
100 Peabody Place
Ste. 900
Memphis, TN 38103

Michael Evan Jaffe
THELEN REID & PRIEST LLP
701 Eight St., N.W.
Washington, DC 20001--372

Barry L. Howard
RUTH HOWARD TATE & SOWELL
150 Second Avenue, N.
Ste. 201
Nashville, TN 37219--178

Albert C. Harvey
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL
40 S. Main St.
Ste. 2900
Memphis, TN 38103--552

Robert Y. Gwin
FROST BROWN TODD LLC
400 W. Market St.
32nd Floor
Louisville, KY 40202--336

J. Gregory Grisham
WEINTRAUB STOCK & GRISHAM
1715 Aaron Brenner Dr.
Ste. 512
Memphis, TN 38120

Ann E. Georgehead
FROST BROWN TODD LLC
400 W. Market St.
32nd Floor
Louisville, KY 40202--336

Charles J. Gearhisier
GEARHISER PETERS LOCKABY & TALLANT PLLC
320 McCallie Avenue
Chattanooga, TN 37402

Sam D. Elliott
GEARHISER PETERS LOCKABY & TALLANT PLLC
320 McCallie Avenue
Chattanooga, TN 37402

David T. Dekker
THELEN REID & PRIEST LLP
701 Eight St., N.W.
Washington, DC 20001--372

Steven M. Crawford
FROST BROWN TODD LLC
400 W. Market St.
32nd Floor
Louisville, KY 40202--336

Kenneth O. Cooper
MCLEARY DOMICO & KYLE, PLLC
100 Peabody Place
Ste. 1250
Memphis, TN 38103

Timothy F. Brown
ARENT FOX KINTNER PLOTKIN & KAHN
1050 Connecticut Ave., N.W.
Washington, DC 20036--533

William L. Bomar
GLANKLER BROWN, PLLC
One Commerce Square
Suite 1700
Memphis, TN 38103

W. Bruce Baird
FROST BROWN TODD LLC
400 W. Market St.
32nd Floor
Louisville, KY 40202--336

Honorable Bernice Donald
US DISTRICT COURT